
English Language Learners (ELL) Status Report

The Background:

The No Child Left Behind Act of 2001 includes requirements regarding English Language Learners (ELL). In addition, Tennessee is under a voluntary compliance agreement with the Office for Civil Rights (OCR). Several of the provisions of the agreement have already been implemented, but a few remain to be addressed. The attorney for OCR met with a representative from the Department in November 2002. OCR found Tennessee capable of monitoring the services provided by school systems to ELL students. The state has agreed to revise the English as a Second Language (ESL) Resource Guide and include program standards. The attorney concluded that after submission of the remaining required data and approval of a state plan Tennessee will be released from the OCR compliance agreement.

To work through the terms of the agreement for providing adequate services to all ELL students across the state, a state-wide ESL Task Force was formed. The Task Force met most recently on December 5-6, 2002, to consider several difficult topics.

The ESL Task Force considered the following:

1. What is considered Adequate Yearly Progress (AYP) for ELL students in an alternative language program, such as ESL.
2. Setting student/teacher ratios: and appropriate staffing levels for ESL programs.
3. Removing the foreign language requirement for an ESL endorsement.
4. Establishing new exit criteria for ESL programs.
5. Revising the current Tennessee ESL Resource Guide and including program standards.

The report of the Task Force follows, including a list of the proposed revisions to the Tennessee ESL Resource Guide.

English as a Second Language (ESL) Task Force Report

To meet the requirements of Office for Civil Rights (OCR) and the mandates of the No Child Left Behind Act of 2001 (NCLB) the Task Force proposes the following recommendations be presented to the appropriate groups.

1. **Adequate Yearly Progress:** No Child Left Behind requires states to define what ELL students should gain in an alternative language program each year. This will be the goal for all ELL students in Tennessee and, if not reached, is one of the criteria that could move a school into school improvement status. Tennessee adopted the IDEA Proficiency Test (IPT) for use in documenting ELL status as the only assessment for use in the state beginning this school year. This was necessary in order to have a clear and consistent definition of ELL, for accountability issues and for inclusion in the BEP funding formula. Ballard and Tighe, Inc., publishers of the IDEA Proficiency Test (IPT) provided the following recommendations for determining Adequate Yearly Progress:

- Oral Proficiency = 1 Test Level per year in an ESL program (A,B,C,D,E, or F)
- Reading = an increase of 5 raw score points for each year of instruction
- Writing = 1 rating point for each year of instruction

A document describing the process for determining Adequate Yearly Progress (AYP) is attached.

2. **Student/Teacher ratios for ESL:** NCLB requires that every child meet AYP. The following standards for the servicing of ELL students are recommended to ensure consistency in services to ELL students across the state:

- Beginning and intermediate level ELL students shall be provided daily services by an endorsed ESL teacher, consistent with OCR recommendations.
- No ESL class size may exceed state mandated grade level class sizes as provided in statute.
- System-wide staffing ratios shall be based on an average of no more than 30 identified ELL students per full time ESL endorsed teacher.

The ESL Task Force requests that the BEP Review Committee consider adjusting the BEP funding formula to reflect a 30:1 ratio.

3. **Foreign Language Requirement for ESL endorsement:** The Task Force recommends that the requirement that ESL teachers have had the experience of learning a second language be removed. This requirement often creates a barrier to those seeking ESL endorsement. The requirement is not consistently enforced and teachers who otherwise would be willing to pursue the ESL additional endorsement would rather spend time on improving their knowledge and skills to work with students. The ability to speak a second language does not directly improve a teacher's success as an ESL teacher. Tennessee has a great need for endorsed ESL teachers. The Task Force believes the foreign

language requirement at this time imposes an unnecessary barrier. This recommendation will be presented to the Advisory Council on Teacher Education and Certification.

4. **Exit Criteria for ESL:** Students exit from ESL services based on proficiency in all areas of language: listening, speaking, reading, and writing. A variety of criteria is used to document the student's proficiency and must be provided to support the decision to exit a student from the program. The Task Force recommends the following criteria as a program standard.

Criteria #1: Fluent and Competent levels on oral, reading and writing sections of the IDEA Proficiency Test (IPT). (In grades K-1, students must have scores of Orally Fluent, Early Reader, and Early Writer.)

Or

Standardized test scores from the most recent assessment must be at, or above, the 35th percentile in Total Reading and Total Language. (In High School, students must score passing on the English language arts gateway exam.)

And

Criteria #2: The regular education teachers and the ESL teacher must provide documentation that the student can be successful in the grade level classroom. The documentation will include a review of student performance and class grades.

And

Criteria #3: Approval of the ESL Coordinator.

The decision of an IEP team, with an ESL Teacher included, may override the above criteria. This decision must be documented and provide evidence that exiting from the ESL program is in the child's best interest.

5. **Revision of the Tennessee ESL Resource Guide:** The Tennessee ESL Resource Guide needs to be updated. In order to comply with Office for Civil Rights (OCR) mandates and the No Child Left Behind Act of 2001, the guide will be revised, updated, and posted on the web by March 2003. A list of proposed revisions to the guide is attached to the report.

The revised guide will include the Tennessee ESL program standards. The new guide and standards will be presented to the Board for approval in April 2003.

Proposed Revisions to the Tennessee ESL Resource Guide

Add the following components:

Sample Plan for Services

Chapter 1: Legal Guidelines

- NCLB
- School Opening Alert
- Undocumented as in-state at the University level

Chapter 2: Program Standards

- Adequate Yearly Progress (AYP)
- IDEA Proficiency Test (IPT)
- Special Education Referral
- Credit for Foreign Language at high school level
- Language Verification Form
- Parental Notification
- Communication w/NOM parents
- TransACT Translation Library
- ELL retention policy

Chapter 3: Cultural Diversity

- Need to reflect state numbers
- Language Identification List

Chapter 4: Classroom Teachers

- Modifications
- Grading
- Wait time

Chapter 5: ESL Teachers

- Teaching through the content area
- Sheltered Instruction Observation Protocol (SIOP)
- ESL Curriculum Guide

Chapter 6: Resources

- Update names
- Internet resources and web addresses (URLs)
- List-servs
- Textbook adoption
- In-service providers and suggested topics

Appendix:

- State Title III Plan
- IDEA Proficiency Test and Ballard & Tighe Publishers' information
- Monitoring
- Endorsement information